

## MINUTE

of

### PLANNING APPLICATIONS COMMITTEE

**Minute of Special Meeting held at 4.00pm in the Council Chamber, Council Headquarters, Giffnock on 21 November 2017.**

**Present:**

Councillor Annette Ireland (Chair)  
 Councillor Betty Cunningham (Vice Chair)  
 Councillor Angela Convery  
 Councillor Charlie Gilbert  
 Councillor Alan Lafferty

Councillor Jim McLean  
 Councillor Colm Merrick  
 Councillor Stewart Miller  
 Councillor Paul O’Kane  
 Councillor Gordon Wallace

Councillor Ireland in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Shona Fraser, Operations Manager; Sean McDaid, Principal Planner; Karen Barrie, Principal Strategy Officer (Affordable Housing and Development Contributions Lead); Julie Nicol, Principal Strategy Officer (Local Development Plans Lead); Graham Shankland, Principal Business Intelligence Officer; Ian Walker, Senior Planner; Eamon Daly, Democratic Services Manager; and Paul O’Neil, Committee Services Officer.

**Apologies:**

Provost Jim Fletcher; and Councillors Paul Aitken; Caroline Bamforth; Tony Buchanan; Barbara Grant; and David Macdonald.

**DECLARATIONS OF INTEREST**

**230.** There were no declarations of interest intimated.

**PRE-DETERMINATION HEARING - ERECTION OF 96 DWELLINGHOUSES WITH ASSOCIATED ROADS, OPEN SPACE AND SUDS AREA (MAJOR) AT 501 BLACKBYRES ROAD, BARRHEAD BY BELLWAY HOMES LIMITED**

**231.** The committee considered a report by the Director of Environment, on an application for planning permission for the proposed erection of 96 dwellinghouses with associated roads, open space and SUDS area (Major) at 501 Blackbyres Road, Barrhead by Bellway Homes Limited (Ref No 2017/0237/TP).

Ms Teri Porter, Director of Planning and Development, CBRE Limited; John Garrett, Hypostyle Architects; and Donald Gunn, Bellway Homes Ltd were present on behalf of the applicants.

The one objector to the application had been invited to attend the meeting to speak to their representation but was not present at the meeting.

Whilst noting that the application was a major development under the terms of the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009, the Principal Planner advised that the site was identified in the adopted East Renfrewshire Local Development Plan as being in a safeguarded business and employment area and not identified for proposed residential development. He explained that as the application was considered to be a significant departure from the development plan it required to be considered by a pre-determination hearing by the Planning Applications Committee before being determined by the full Council. He referred to the assessment of the application, details of which were outlined in the 'Report of Handling', and that arising from the assessment the recommendation was that the committee be disposed to grant the application, subject to conditions and the conclusion of an agreement under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the delivery of affordable housing and the payment of development contributions.

At this stage, the Chair invited Ms Porter and Mr Garrett, on behalf of the applicants, to make a submission to the committee in support of the application.

Ms Porter advised that she acted on behalf of the owners of site in the course of which she explained that despite the site having been marketed over the past 3 years and having had discussions with the Council's Economic Development service about potential occupiers, there had been no interest for its continued use for industrial purposes. She explained that the site was specifically identified as a safeguarded business and employment location and was covered by Policy SG6 in the adopted East Renfrewshire Local Development Plan 2015. However, she highlighted that the site was sandwiched between two other sites that had been allocated for residential development in the development plan.

Concluding her remarks, Ms Porter stated that having marketed the site for industrial use over a 3 year period, it appeared that the use of the site for this purpose to generate employment would be unlikely. She referred to the comments that had been made by the Council's Economic Development service in the 'Report of Handling' which indicated that in terms of the Barrhead North Masterplan employment uses would be better placed within the Glasgow Road corridor where the Council had constructed new workshop units at Crossmills Business Park.

At this stage Ms Porter invited Mr Garrett to comment further in support of the application.

Mr Garrett stated that the applicants' intention was to ensure that the proposed development would integrate with the neighbouring area. He advised that a public event had been held in Barrhead with a view to receiving the views and feedback from local residents about issues they had about the proposed development. He explained that the main issues arising from the event were the existence of seagulls which nested on the roof of the cargo unit; maintaining the existing trees along the mutual boundary along the Right of Way; and concerns about vehicular access being gained to the site from Grahamston Park. He indicated that the residents of Grahamston Park were reassured that access would not be taken from road given the land ownership issues. He also explained that the trees were protected by a Tree Preservation Order and in that addition as they were situated outwith the boundary of the site they were outwith the control of the owner of the site.

Whilst noting that the road studies that had been carried out showed the existing road network would be able to accommodate the traffic generated by the proposed development, Mr Garrett explained that the design and layout of the site had evolved following consultation with Council officers. Furthermore, the applicants would be providing a variety of house styles and sizes ranging from 2 to 4 bedrooms and affordable housing in accordance with the Council's policy.

In response to the concerns expressed by the objector about the issue of overlooking, Mr Garrett explained that this should not present a problem given that the separation distance between the proposed development and the houses in Grahamston Park would be 30 metres; that the houses as proposed would sit below those in the neighbouring development of Grahamston Park; and that the existing trees would provide additional screening.

Concluding his remarks, Mr Garrett stated that the proposed development would in his opinion enhance the northern edge of Barrhead.

There followed a short question and answer session in the course of which Councillor Cunningham welcomed the proposed development as in her opinion a development of this nature of was long overdue. Councillor Miller sought clarification whether access to the proposed development would be gained from both Blackbyres Road and Grahamston Park. In response, Mr Garrett stated that access to the site would be from Grahamston Park only.

At this stage, the Chair invited Ms Porter on behalf of the applicants to sum up.

Ms Porter stated that should the application be approved this would guarantee the demolition of the existing industrial unit which was unable to attract occupiers and could become a nuisance. She also indicated that in her opinion the proposed development would kick start the area and deliver a range of economic and environmental benefits. Whilst noting that affordable housing would be provided in the manner the Council had requested, she highlighted that the developer had also agreed to pay the Council development contributions.

The Chair explained that that this concluded the public part of the hearing and that Members now had the opportunity to give consideration to the 'Report of Handling' and ask questions of officers on any points they had in relation to the assessment of the application.

Councillor Convery sought clarification whether Barrhead was part of the Lavern Valley housing market area and, if it was would the commuted sum that the developer would pay the Council be used to support affordable housing in that area. In reply, the Principal Strategy Officer (Affordable Housing and Development Contributions Lead) confirmed that both Barrhead and Neilston formed part of the Lavern Valley and that the commuted sum would be used to support affordable housing in those areas.

In response to a question by Councillor Wallace regarding who would decide which individuals would be offered the opportunity to purchase the affordable housing units, the Principal Strategy Officer (Affordable Housing and Development Contributions Lead) explained that there would be 12 units that would be made available as discounted entry level housing and these would be marketed by the developer for sale on the open market. Furthermore, Bellway Homes Ltd would be provided with eligibility criteria by the Council for those wishing to purchase the affordable housing units and the criteria would be used by the developer's sales team when selling the units. The Principal Strategy Officer (Affordable Housing and Development Contributions Lead) also explained that a clause would be inserted into the title deeds to ensure that the homes would remain low cost in perpetuity.

Councillor Wallace noted that in terms of the adopted East Renfrewshire Local Development Plan the site was designated as a safeguarded business and employment location and sought clarification why if this was the case, officers were recommending approval of the application for a residential development.

In reply, the Principal Planner stated that each application required to be assessed against the development plan and any material considerations. He advised that having carried out the assessment officers had looked at other factors and material considerations. He referred to the terms of the Barrhead North Masterplan which aimed to direct future employment development to the Glasgow Road corridor and to the consultation response from the Economic Development service highlighting that these were significant material considerations in the determination of the application. Concluding his remarks, he advised that whilst the site was designated for one type of land use it could be used for another use subject to material considerations.

Councillor Wallace sought clarification as to what had changed with the criteria in terms of the site being considered a safeguarded business and employment location.

In reply, the Principal Planner explained that the consultation response from the Council's Economic Development service had indicated that whilst any loss of safeguarded business and employment land was regretted, in the longer term use of the land at the site for that purpose was probably unlikely. He also highlighted that the proposed site was adjacent to existing housing and that in addition, there were two other residential housing developments identified in the local plan which were in close proximity to the proposed development site.

In reply to a question by Councillor Miller about what arrangements would be put in place to secure the future of the discounted affordable housing at the site, the Principal Strategy Officer (Affordable Housing and Development Contributions Lead) reiterated that there would be a clause inserted into the title deeds which would restrict the sale of the low cost housing units from being sold at full market value in the future.

At this stage, Councillor Ireland, seconded by Councillor Cunningham, moved that it be **recommended to the Council** that the Council be disposed to grant the application, subject to the:-

- (a) conditions detailed in the report; and
- (b) conclusion of an agreement under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the delivery of affordable housing and the payment of development contributions.

Councillor Wallace, seconded by Councillor Gilbert, moved as an amendment that it be **recommended to the Council** that the application be refused on the grounds that the proposed development site was a safeguarded business and employment location.

On a vote being taken, 8 Members voted for the motion and 2 Members voted for the amendment. The motion was accordingly declared carried and it was agreed to **recommend to the Council** that the Council be disposed to grant the application, subject to the:-

- (a) conditions detailed in the report; and
- (b) conclusion of an agreement under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the delivery of affordable housing and the payment of development contributions.